

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

After entry of the foregoing amendment, Claims 1-8 remain pending in the present application. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 1-8 stand rejected under 35 U.S.C. § 103 as being unpatentable over Nakayama et al. (U.S. Patent No. 7,117,253, hereinafter “Nakayama”) in view of Sakata (U.S. Patent Publication 2004/0064507, hereinafter “Sakata”).

REJECTION UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 1-8 under 35 U.S.C. § 103 as being unpatentable over Nakayama in view of Sakata. The Official Action contends that the combination of cited references describes or suggests all of the Applicant’s claimed features. Applicant respectfully traverses the rejection.

Applicant’s Claim 1 recites, *inter alia*, a content acquisition method, including:

... a division position determination step of
determining division start positions and division end positions
specifying division parts of said content data to request said
content data in divided form from said plurality of content
provision apparatus, based on the number of pieces of said
address information and said data size information received by
said information reception step;

a division part request information transmission step of
transmitting division part request information including content
identification information of said content data, and said
division start positions and division end positions of said
division parts of said content data, such that each said division
part is requested from different said content provision
apparatus; ...

Nakayama describes a client server arrangement in which information is transferred from a server side to a client side. In applying this description to the claims of record, the Office has identified column 4, lines 16-24 of this reference to correspond to both of the claimed features listed above. The cited portion of the Nakayama reference describes that a WWW browser is utilized to browse HTTP contents. This passage also explains that streaming content is content which is continually transferred from one device to another, and that streaming data is divided into “clips”.

Aside from the word “divided” being mentioned in this passage, Applicant is at a complete loss to identify any disclosure or suggestion remotely similar to the Applicant’s claimed features recited above. Additionally, the Office Action is completely silent with respect to any reasoned rationale as to how this passage relates to the above-identified claim features.

Simply stated, the claims require that division start positions and division end positions are determined for specifying division parts of content data such that the content data can be requested, in divided fashion, from a plurality of content position apparatuses. The division process is based on a number of pieces of address information and data size information. This information is then transmitted as division part request information and includes content identification information of the content data, the division start positions and division end positions of the content data, such that each division part is requested from a different content division apparatus.

Clearly, Nakayama does not disclose or suggest determining division start positions or division end positions of content data based upon address information and data size.

Additionally, Nakayama does not disclose or suggest transmitting such information such that each division part is requested from a different content provision apparatus as claimed.¹

As Sakata has not been relied upon for describing any of the aforementioned claimed features, nor does Sakata remedy any of these deficiencies as discussed above, Applicant respectfully requests that the rejection of Claims 1-8 under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Since Applicant has not amended the claims in response to any rejection on the merits, a further rejection of these claims based on newly cited prior art in the next communication **cannot properly be considered a Final Office Action**.


Accordingly, the outstanding rejection is traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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¹ To the extent of data this rejection is maintained in a further action, Applicants respectfully request that the Office provide a more reasoned explanation as to this rejection such that the Applicants can understand this position.